

**MINUTES OF THE REGULAR MEETING  
OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WALL, HELD IN THE  
MEETING ROOM, MUNICIPAL COMPLEX  
WEDNESDAY, MARCH 8, 2006**

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The meeting was called to order by Mayor Burne at 7:30 P.M. Present were Mayor Mary L. Burne presiding, Deputy Mayor John W. Tobia, Committeeman Robert D. Peters, Committeeman Edward H. Thomson, Committeeman John P. Devlin, Township Administrator Joseph L. Verruni, Township Attorney Roger J. McLaughlin and Township Clerk Lorraine Kubacz.

Mayor Burne read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Mayor Burne read a Proclamation Honoring Steve Wisner who has recently returned from Iraq. Steve was unable to be present because he had to report back to active duty in Georgia, but his father, Reverend Wisner, accepted the Proclamation and said that Steve is honored and expresses his thanks and gratitude. Mrs. Burne stated that the Committee and community are very proud of Steve and we hope that he returns home soon and safe.

Mayor Burne presented Proclamations Honoring three Championship Cheerleader teams: Wall Pop Warner Junior Pee Wee Large Advanced, Wall Pop Warner Pee Wee Large Advanced and Wall Pop Warner Midget Small Advanced. Mrs. Burne congratulated the teams and stated that the governing body is very proud of the girls, their coaches and parents for the fantastic job they have done.

Committeeman Thomson made a motion to approve the Vouchers for January 28, 2006 - February 27, 2006, in the amount of \$11,218,117.50. Committeeman Peters seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Vouchers approved.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 3-2006** - Vacating a Portion of Filmore Street entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF

FILMORE STREET". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing

open. There being no comments or objections, Committeeman Peters moved that the public hearing be closed. Committeeman Devlin seconded the motion and all members voted yes. Committeeman Peters moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Devlin seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Peters moved that the Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 4-2006** - Amending Chapter 140 - Pertaining to Hotels, Building Design Standards, Board of Adjustment entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE TOWNSHIP OF WALL, PERTAINING TO HOTELS, BUILDING DESIGN STANDARDS AND BOARD OF ADJUSTMENT". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing open. There being no comments or objections, Committeeman Thomson moved that the public hearing be closed. Deputy Mayor Tobia seconded the motion and all members voted yes. Committeeman Thomson moved that the Ordinance be adopted as to its second reading and final passage. Deputy Mayor Tobia seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Thomson moved that the Ordinance be advertised according to law. Deputy Mayor Tobia seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 5-2006** - Salary Ordinance

entitled, "AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS  
AND EMPLOYEES OF THE TOWNSHIP OF WALL FOR THE YEAR 2006".

Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing open. There being no comments or objections, Deputy Mayor Tobia moved that the public hearing be closed. Committeeman Devlin seconded the motion and all members voted yes. Deputy Mayor Tobia moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Devlin seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Deputy Mayor Tobia moved that the Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 6-2006** - Vacating a Portion of Sycamore Avenue entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF SYCAMORE AVENUE". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing open. There being no comments or objections, Committeeman Devlin moved that the public hearing be closed. Committeeman Peters seconded the motion and all members voted yes. Committeeman Devlin moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Peters seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Devlin moved that the Ordinance be advertised according to law. Committeeman Peters seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 7-2006** - Stormwater Regulations entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING THE CODE OF THE TOWNSHIP OF

WALL TO CONFORM TO CURRENT STORMWATER REGULATIONS". Mrs.  
Kubacz read the Ordinance by title only as required by law.

Mayor Burne declared the Public Hearing open. There being no comments or objections, Committeeman Thomson moved that the public hearing be closed. Deputy Mayor Tobia seconded the motion and all members voted yes. Committeeman Thomson moved that the Ordinance be adopted as to its second reading and final passage. Deputy Mayor Tobia seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Thomson moved that the Ordinance be advertised according to law. Deputy Mayor Tobia seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 8-2006** - Police Rules & Regulations entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 36, "POLICE DEPARTMENT" OF THE CODE OF THE TOWNSHIP OF WALL". Mrs. Kubacz read the Ordinance by title only, as required by law. Deputy Mayor Tobia moved that the Ordinance be adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Deputy Mayor Tobia moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 12, 2006 at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 9-2006** - Land Use Regulations - OB-40 - Cell Towers entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE OF PERMITTED AND CONDITIONAL USES PERTAINING TO THE OB-40 (OFFICE BUSINESS) AND GI (GENERAL INDUSTRIAL) ZONES AND SECTION 140,

"WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS." Mrs. Kubacz read the Ordinance by title only, as required by law.

Committeeman Peters moved that the Ordinance be adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

|         |       |
|---------|-------|
| Devlin  | Yea   |
| Peters  | Yea   |
| Thomson | Yea   |
| Tobia   | Yea   |
| Burne   | Yea * |

\*Mayor Burne abstained on Section 3 of this ordinance.

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Peters moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 12, 2006 at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

Committeeman Peters moved that Ordinance No. 9-2006 be referred to the Wall Township Planning Board for review and recommendations. Committeeman Thomson seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 10-2006** - Increasing the CAP entitled, "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP (N.J.S.A. 40A:4-45.14)." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Peters moved that the Ordinance be adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Peters moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 12, 2006 at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

With reference to the 2006 Municipal Budget Committeeman Peters offered Resolution #06-303 and moved it be adopted. Mrs. Kubacz read the resolution by title only entitled, "A

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL  
AUTHORIZING INTRODUCTION OF THE 2006 BUDGET, SCHEDULING OF  
PUBLIC HEARING FOR 7:30 ON APRIL 12, 2006 AND SUBMITTAL OF THE

BUDGET TO THE DEPARTMENT OF COMMUNITY AFFAIRS." Committeeman Thomson seconded the motion and on roll-call members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the Resolution adopted.

**Consent Agenda**

With reference to Items 15 A - U was announced that all matters will be adopted or approved collectively by a single motion and roll-call vote by a majority of the Township Committee. All items on the consent agenda have been made available in advance of the meeting for public inspection and are also available for public inspection in the office of the Township Clerk. There will be no separate discussion of these items. If discussion is desired on any item, it will be considered separately. Mayor Burne asked if any member of the Township Committee wished to consider any item separately. There being no further comments, a motion was made by Committeeman Thomson and seconded by Committeeman Devlin to adopt the following Resolutions, and on roll-call, members voted as follows:

|         |     |
|---------|-----|
| Devlin  | Yea |
| Peters  | Yea |
| Thomson | Yea |
| Tobia   | Yea |
| Burne   | Yea |

There being five yeas and no nays, the Mayor declared the following Resolutions adopted:

#06-304 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TOWNSHIP TAX ASSESSOR TO REPRESENT THE TOWNSHIP IN TAX APPEALS

#06-305 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL SCHEDULING A SPECIAL PUBLIC BUSINESS MEETING

#06-306 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PARTICIPATION IN THE MONMOUTH COUNTY MOSQUITO PROGRAM

#06-307 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PARTICIPATION IN THE MONMOUTH COUNTY AND STATE OF NEW JERSEY DEPARTMENT OF AGRICULTURE GYPSY MOTH CONTROL PROGRAM

#06-308 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF AN AGREEMENT PERTAINING TO THE ROUTE 18 BIKEWAY

#06-309 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING A REDEVELOPER FOR PROPERTY KNOWN AS LOTS 1, 2 AND 3 IN BLOCK 12 IN THE WEST BELMAR GATEWAY REDEVELOPMENT AREA

#06-310 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 942, LOTS 79 & 132

#06-311 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 930, LOT 53

#06-312 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 931, LOT 15

#06-313 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 819, LOT 35

#06-314 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 930.02, LOT 1

#06-315 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 907, LOT 22

#06-316 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 917.01, LOT 111

#06-317 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE SUBMISSION OF A REQUEST FOR AN EXTENSION OF TIME TO DESIGN, BID AND AWARD THE CONTRACT FOR THE TOWNSHIP OF WALL MONMOUTH BOULEVARD PROJECT

#06-318 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE  
GUARANTEE PERTAINING TO BLOCK 715, LOT 11 - EIGHTH AVENUE

#06-319 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR IMPROVEMENTS TO THE LIGHTING AT THE WALL TOWNSHIP MULTIPURPOSE FIELD LOCATED AT THE MUNICIPAL COMPLEX

#06-320 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDED A SPECIAL PROFESSIONAL SERVICES CONTRACT FOR EXPERT REAL ESTATE VALUATION SERVICES IN CONNECTION WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS - JEFFREY S. DONOHOE

#06-321 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING AN ACTING MAYOR

#06-322 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#06-323 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

**End of Consent Agenda**

**Comments from Township Committee**

None

**Audience Participation**

None

There being no further comments, Committeeman Thomson made a motion to adjourn. Committeeman Peters seconded and all members voted yes. The meeting adjourned at 8:12 p.m.

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TOWNSHIP CLERK

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MAYOR